IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

FRIDAY, THE 30TH NOVEMBER 2007 / 9TH AGRAHAYANA 1929

WP(C).No. 30255 of 2007(B)

AGAINST THE ORDER OF ATTACHMENT IN EP 135/2003. IN OS.225/2002 OF PRL. SUB COURT,IRINJALAKUDA.

.....

PETITIONER/1ST JUDGMENT DEBTOR:

RAJESH, S/O. VIJAYAN, AGED 36 YEARS,
ELLATHIPARAMBIL, PULLOOT P.O., KODUNGALLUR.

BY ADV. SRI.C.A.CHACKO,
SMT.C.M.CHARISMA,
SRI.N.A.SHAFEEK.

RESPONDENT/ DECREE HOLDER:

SREEKUMARA SAMAJAM,
METHALA VILLAGE, KODUNGALLUR.

BY ADV. SRI.K.G.BALASUBRAMANIAN.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 30/11/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C). NO.30255/2007-B:

APPENDIX

PETITIONER'S EXHIBIT:

EXT.P.1: COPY OF DECREE DTD. 08/11/02.

RESPONDENT'S EXHIBITS: NIL.

//TRUE COPY//

prv.

M.N. KRISHNAN, J.

= = = = = = = = = = = = = = =

W.P.C. NO. 30255 OF 2007

= = = = = = = = = = = = = = =

Dated this the 30th day of November, 2007.

J U D G M E N T

This writ petition is filed by the first judgment debtor in E.P.135/03 in O.S.225/02 praying for a facility to discharge the decree debt in ten monthly equal instalments. When a decree is passed the order for instalment facility can be granted only with the consent of the decree holder as provided under Order 20 Rule 11(2) CPC. With liberty to the writ petitioner to move the said application before the executing Court, this writ petition is closed.

M.N. KRISHNAN, JUDGE.

ul/-